

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: : Chapter 13

Woods, Davy

Woods, Angela B

Debtors

: 19-11128

OBJECTION TO CERTIFICATION OF DEFAULT

Debtors through their counsel, hereby objects to FREEDOM MORTGAGE CORPORATION (hereinafter "Mortgage Company") "Certificate of Default" with a proposed attached "Order Modifying Section 362 Automatic Stay" that seeks the inapplicability of Federal Bankruptcy Rules. Debtors by and through their counsel in support thereof avers as follows:

1. On May 5, 2023, the Bankruptcy Court's ECF docket report showed that Movant's counsel filed a "Certification of Default" dated May 10, 2023 that certified that "*Debtors have defaulted upon the terms of the stipulation*" and certified that Debtors were sent a Notice of Default on March 19, 2023 and they have "*failed to cure the default.*"

2. On May, 12, 2023, Joint Debtor contacted Debtors' counsel and stated that she has and continues to make all post stipulation mortgage payments timely and provided proof of the same to Movant's counsel as prescribed in the Notice of Default.

3. As of the date of this Objection, the debtors have remedied or is prepared to remedy whatever problem served as grounds for relief in respect to the Stipulation, if any ever existed.

4. To the extent that Mortgage Company has an interest in the debtors' estate, such interest is adequately protected pursuant to the Bankruptcy Code.

5. The Debtors have substantial equity in their property and movant has been afforded adequate protection of its interest.

6. Even if Movant is entitled to relief from the stay, the stay should not be terminated. The Court should grant less drastic relief by conditioning or modifying the stay.

7. Movant has not shown the irreparable harm necessary to justify lifting the stay with respect to its foreclosure.

For the reasons set forth above, among others, and based on this Court's authority under the Bankruptcy Code, the Debtors pray that this Honorable Court deny consideration or the entry of the Mortgage Company's "Order Modifying Section 362 Automatic Stay" and such other relief as is just and proper. The Debtors specifically reserve the right to supplement the answer at or prior to the hearing thereon.

Dated: May 12, 2023

/s"/Mitchell J. Prince, Esquire

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